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Plaintiff in Pro Se

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. CUVIELLO and DENIZ
BOLBOL, individually,

PLAINTIFFS.

v.

ROWELL RANCH RODEO, INC., et al.

DEFENDANTS.

Case No. 3:23-cv-01652-VC

**SUPPLEMENTAL DECLARATION OF
DENIZ BOLBOL IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
DEFENDANTS' HARD AND ROWELL
RANCH RODEO'S CROSS- MOTION
FOR SUMMARY JUDGMENT AND
REPLY IN SUPPORT OF PLAINTIFFS'
JOINT MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Date: August 15, 2024
Time: 10:00 a.m.
Judge: Hon. Vince Chhabria
Courtroom: 5, 17th Floor

1 I, Deniz Bolbol, declare as follows:

2 1. I am a Plaintiff in the above-captioned case.

3 2. I have personal knowledge of the facts declared herein and will competently
4 testify to them if called upon to do so. I am submitting this declaration in support of Plaintiffs'
5 Opposition to Defendants' Hayward Area Recreation and Park District, Kevin Hart, and Rowell
6 Ranch Rodeo's Cross- Motion for Summary Judgment and Reply in Support of Plaintiffs' Joint
7 Motion for Partial Summary Judgment, Dkt. 89.

8 3. I have been an advocate for animal rights since 2000, and I am a co-founder of the
9 grassroots group, "Humanity through Education" which is a 501(c)3 nonprofit organization.

10 4. My speech and association focuses on the abuse and mistreatment of animals by
11 circuses, rodeos, and other "entertainment" entities, which is of great public concern locally,
12 nationally, and internationally.

13 5. During my years of animal rights activism I have been falsely arrested and had
14 my free speech rights violated by threats of arrest from law enforcement officers on numerous
15 occasions and had to file a number of lawsuits over the years to have my rights upheld and
16 protected, including *Bolbol, et al., v. Ringling*, Case No. 5:04-cv-00082; *Cuviello, et al., v. City*
17 *of Oakland, et al*, Case No. C06-05517; *Cuviello, et al., v. City of Stockton, et al*, Case No.: 2:07-
18 *cv-01625; Bolbol v. City of Daly City*, 3:09-cv-01944; *Cuviello, et al., v. City of Oakland, et al*,
19 *Case No. 3:09-cv-02955; Cuviello, et al., v. Cal Expo, et al*, Case No. 2:11-cv-02456; *Cuviello,*
20 *et al., v. State of Nevada, et al*, Case No. 3:12-cv-00529; and *Cuviello, et al., v. City and County*
21 *of San Francisco, et al*, Case No. 12-cv-03034. In each of these cases I was either arrested by
22 law enforcement or placed under citizen's arrest and law enforcement accepted the citizen's
23 arrest.

24 6. In *Bolbol, et al., v. Ringling*, Case No. 5:04-cv-00082, San Jose Arena
25 management personnel told me I had to leave the San Jose Arena property as law enforcement
26 stood with management and also told me I could not be on arena property. When I refused to
27 leave, management placed me under citizen's arrest and law enforcement accepted the arrest.

28 7. In *Cuviello, et al., v. City of Oakland, et al*, Case No. 3:09-cv-02955 I was told to

1 leave a certain area on the Oakland Arena property by management wherein law enforcement
2 was standing with management and also telling me I had to leave. When I refused to leave
3 management placed me under citizen's arrest and law enforcement accepted the arrest.

4 8. In *Bolbol v. City of Daly City*, Case No. 3:09-cv-01944, I was initially arrested by
5 a law enforcement officer but the arrest form was later signed by a circus owner so it was
6 considered a citizen's arrest instead of an officer arrest.

7 9. In *Cuviello, et al., v. City of Stockton, et al*, Case No. 2:07-cv-01625, I was told
8 by Arena security I wasn't allowed on Arena property and told by law enforcement standing with
9 security personnel that they would accept a citizen's arrest from arena security if I demonstrated
10 on arena property. I demonstrated on the public sidewalk.

11 10. From experience, I am familiar with situations in which the management of the
12 property where I'm demonstrating works in concert with law enforcement and they work
13 together to threaten me with citizen's arrest.

14 11. On May 20, 2022, while demonstrating at the Rowell Rodeo Park in Castro
15 Valley, Alameda County Sheriff's Deputy Mayfield told me I was fine demonstrating outside the
16 Free Speech Area (FSA); this was Mayfield's first interaction with me and Joseph Cuviello. A
17 short time after the first encounter, Mayfield approached me again accompanied by HARD
18 representative Kevin Hart. When Kevin Hart told us that we had to relocate to the free speech
19 area, based on my experience, I believed Kevin Hart might place me under citizen's arrest and
20 that Deputy Mayfield was standing next to Hart to accept the citizen arrest.

21 12. I have been demonstrating at Rowell Ranch Rodeo for over five years and I have
22 never seen anyone checking for tickets at the entrances to the parking lots and when I previously
23 entered both of the parking lots, I have never before been asked for a ticket to enter the parking
24 lots.

25 13. After I filed this lawsuit I demonstrated at the Bill Pickett Rodeo at the Rowell
26 Rodeo Park in July of 2023 and 2024. In 2023, a female Rodeo Representative, who said she
27 handled the lease with HARD, approached me and told me she was not asking me to move but
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1 wanted to ask me a question. She asked why they HARD required the lessee (Bill Pickett
2 Rodeo) to set up a free speech area if the demonstrators were not required to use it? I told her,
3 that I have no idea, but perhaps they do it to create problems so you (the rodeo) think you can
4 force us to be in that FSA. I told her to ask HARD.

5 14. On July 13, 2024, I again demonstrated at the Bill Pickett Rodeo. At
6 approximately 1:20 p.m. I, along with my colleague, walked to the back entrance to demonstrate.
7 As soon as we approached the area before the ticket booth and entrance, a young man
8 approached us and said, "You all gotta go over there this year." He kept telling us we couldn't be
9 where we were standing. Then a lady who had been sitting at one of the check-in tables walked
10 over and said, "We have a space for you" pointing off to the side of the road where a piece of
11 paper that read, "Free Expression Area" was tacked to a post. The young man repeatedly told me
12 I couldn't be where I was standing and then he radioed for help stating, "You have these people
13 with the dog signs again down here. And they are trying to block the entrance." A second woman
14 working with the rodeo approached me and said, "They gave you a designated area – right there.
15 All you have to do is stand right there on the side." Then a third woman drove up in an electric
16 cart and said we had to move to the Free Expression Area. A true and correct copy of video of
17 this incident is attached as **Exhibit 39**.

18 15. This constant harassment and accusing me of blocking patrons continued nearly
19 the entire time I was demonstrating. The Pickett Rodeo representatives even brought metal
20 barricades to try to cordon me away from the patrons.

21 16. The Free Expression Area was located to the right side of the entrance road. This
22 location would have made sharing our message with patrons impossible. We would have had
23 very little to no direct access to patrons to talk with and hand out leaflets. This is especially true
24 for the Bill Pickett Rodeo which only allowed patrons to enter through the small gate opening to
25 the left of the entrance road.

26 17. When people enter the rodeo, often times they are waiting for family members or
27 someone getting tickets at the ticket booth, meaning they are standing around. My standing in
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1 that area does not increase the congestion.

2 18. On July 12, 2024, the day before, Bill Pickett Rodeo representatives constantly
3 harassed me and accused me of blocking merely for standing in the area where patrons purchase
4 tickets and enter the rodeo.

5 19. Having a Free Expression Area creates the perception and expectation of the
6 lessee of Rowell Ranch Park that free speech activities must only take place in that designated
7 area. They become angry when they realize they cannot interfere with my free speech activity.

8 20. I will continue to demonstrate at events that abuse and mistreat animals at the
9 Rowell Rodeo Park, including the Bill Pickett and Rowell Ranch Rodeos.

10 21. Attached as **Exhibit 42** is a true and correct copy of excerpts from my deposition
11 transcript, taken on March 6, 2024.

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15 I make this declaration under penalty of perjury under the laws of the United States of
16 America, executed this 29th day of July, 2024, in San Mateo County, California

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18 /s/ Deniz Bolbol
19 Deniz Bolbol
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